

January 25, 1972

72-690

Mr. Gene Mittelman
Minority Counsel
Office of Senator Javits
Washington, D.C. 20510

Dear Mr. Mittelman:

This is in response to the questions you raised with me concerning the relationship of Executive Order 11478 on equal employment opportunity to national security agencies.

Executive Order 11478 applies to all Executive Branch agencies, including the Central Intelligence Agency and the National Security Agency. Thus, the regulations adopted pursuant to that order which provide for investigation and hearings of complaints of discrimination are applicable to those agencies to the extent that they do not conflict with the laws regarding their establishment and operation.

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There is nothing to prohibit a complainant who appeals under the Commission's regulations issued under the Executive Order to take an adverse decision on that appeal into the courts. Whether the courts would accept it and what their attitude would be to the disclosure of information is a matter on which we are not in a position to judge.

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OGC Has Reviewed

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Sincerely yours,

[Redacted Signature]

Assistant Executive Director

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